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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/020,483	12/12/2001	Edward O. Clapper	884.611US1	6788

7590 11/30/2004

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EXAMINER	
TRUONG, CAM Y T	

ART UNIT	PAPER NUMBER
2162	

DATE MAILED: 11/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/020,483	CLAPPER, EDWARD O.	
	Examiner	Art Unit	
	Cam Y T Truong	2162	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 August 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *5-30* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *5-30* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *26 July 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Applicant has canceled claims 1-4 in the amendment filed on 8/16/2004. Claims 5-30 are pending in this Office Action.

Applicant's arguments filed 8/16/2004 have been fully considered but they are not persuasive.

Applicant has argued that the combination of Funaki in view of Berke does not teach all of the claimed limitations present in independent claims 5, 13, 20 and 27. However, as regarding to claims 5, 13, 20 and 27, Funaki teaches the claimed limitations:

"a computing device receiving a search string including an ordered sequence of syllable counts" as the input display screens display an input menu 51 for inputting the number of syllables or sounds and an input menu 52 for inputting a part of speech. As the search condition including the number of syllables and the part of speech is entered by using the search condition designation unit F, the entered search condition is sent to the word search unit I. This information indicates that the system receives user's input that includes an ordered sequence of number of syllables (col. 8, lines 5-30).

Funaki does not explicitly teach the claimed limitation "using the ordered sequence of syllable counts to retrieve from a database a document uniquely represented by the search string". However, Funaki teaches a dictionary storing at least words and parts of speech corresponding to the words; a search condition designator for designating at least a part of speech as a search condition; a word search unit for searching a word matching the search condition designated by the

search condition designator from the dictionary; a search result display unit for displaying a searched word (col. 1, lines 65-67; col. 2, lines 1-6). Berke teaches uniquely identifying the single web site corresponding to said search criteria by examining said database for the unique combination stored in the database. Web site is represented as a document (col. 9, lines 57-60). It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Berke's teaching of uniquely identifying the single web site corresponding to said search criteria by examining said database for the unique combination stored in the database into Funaki's system in order to save time for users reading or search documents and eliminate displaying irrelevance document to a user.

Thus, the combination of Funaki and Berke teach all of the claimed limitation of independent 5, 13, 20 and 27.

Applicant argued that Erickson and Wu do no mention of "syllable". However, the claimed limitation on dependent claims 9, 16, 20, 12, 18, 19, 25, 26, and 30 do not recite "syllable".

For the above reason, examiner believed that rejection of the last office action was proper.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 5-8, 10, 11, 13-15, 17, 20-22, 24 and 27-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Funaki (USP 6689946) in view of Berke (USP 6629094).

As to claim 5 and 27, Chase teaches the claimed limitations:

"a computing device receiving a search string including an ordered sequence of syllable counts" as the input display screens display an input menu 51 for inputting the number of syllables or sounds and an input menu 52 for inputting a part of speech. As the search condition including the number of syllables and the part of speech is entered by using the search condition designation unit F, the entered search condition is sent to the word search unit I. This information indicates that the system receives user's input that includes an ordered sequence of number of syllables (col. 8, lines 5-30).

Funaki does not explicitly teach the claimed limitation "using the ordered sequence of syllable counts to retrieve from a database a document uniquely represented by the search string". However, Funaki teaches a dictionary storing at least words and parts of speech corresponding to the words; a search condition designator for designating at least a part of speech as a search condition; a word search unit for searching a word matching the search condition designated by the search condition designator from the dictionary; a search result display unit for displaying a searched word (col. 1, lines 65-67; col. 2, lines 1-6). Berke teaches uniquely identifying the single web site corresponding to said search criteria by examining said database for the unique combination stored in the database. Web site is represented as a document (col. 9, lines 57-60).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Berke's teaching of uniquely identifying the single web site corresponding to said search criteria by examining said database for the unique combination stored in the database into Funaki's system in order to save time for users reading or search documents and eliminate displaying irrelevance document to a user.

As to claims 6, 14 and 21, Funaki teaches the claimed limitation "in receiving, the search string includes a word in place of the word's syllable count" as (fig. 12).

As to claim 7, Funaki teaches the claimed limitation "the search string includes two words in place of each respective word's syllable count" as (col. 8, lines 40-45).

As to claims 8, 15 and 22, Funaki teaches the claimed limitation "the database comprises a plurality of records, each comprising an ordered listing of words and an ordered syllable count listing" as (fig. 9).

As to claims 10 and 17, Funaki teaches the claimed limitation " in using, the input ordered sequence of syllable counts is matched with at least one corresponding ordered sequence of syllable counts within the database" as (col. 8, lines 5-50).

As to claims 11 and 29, Funaki does not explicitly teach the claimed limitation "displaying the document via the display". Berke teaches displaying the web site that is

represented as a document. This information indicates that the system has included a display for displaying the web site to a user (col. 6, lines 1-5).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Berke's teaching of displaying the web site to Funaki's system in order to allow a user can view and read information on a web site or a document.

As to claims 13 and 20,Funaki teaches the claimed limitations:

"receiving via the user interface a search string including an ordered sequence of syllable counts" as the input display screens display an input menu 51 for inputting the number of syllables or sounds and an input menu 52 for inputting a part of speech. As the search condition including the number of syllables and the part of speech is entered by using the search condition designation unit F, the entered search condition is sent to the word search unit I. This information indicates that the system receives user's input that includes an ordered sequence of number of syllables (col. 8, lines 5-30).

Funaki does not explicitly teach the claimed limitation "using the ordered sequence of syllable counts to retrieve from the database a document uniquely represented by the search string". However, Funaki teaches a dictionary storing at least words and parts of speech corresponding to the words; a search condition designator for designating at least a part of speech as a search condition; a word search unit for searching a word matching the search condition designated by the search condition designator from the dictionary; a search result display unit for displaying a searched

word (col. 1, lines 65-67; col. 2, lines 1-6). Berke teaches uniquely identifying the single web site corresponding to said search criteria by examining said database for the unique combination stored in the database. Web site is represented as a document (col. 9, lines 57-60).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Berke's teaching of uniquely identifying the single web site corresponding to said search criteria by examining said database for the unique combination stored in the database into Funaki's system in order to save time for users reading or search documents and eliminate displaying irrelevance documents to a user.

As to claims 24 and 28, Funaki teaches the claimed limitation "in using, the input ordered sequence of syllable counts is matched with at least one corresponding ordered sequence of syllable counts within the database" as (col. 8, lines 5-50).

4. Claims 9, 16 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Funaki (USP 6689946) in view of Berke (USP 6629094) and further in view of Erickson (USP 5765152).

As to claims 9, 16 and 23, Funaki and Berke discloses the claimed limitation subject matter in claim 8, 15 and 22, except the claimed limitation " each database record comprises a work from the group comprising a literary work, a song lyric, a dramatic work, a motion picture script, and an audiovisual script". Erickson teaches electronic media stored within the memory means, the media being a digital

representation of at least one of (i) literary work, (ii) musical work, (iii) dramatic work, (iv) choreographic work, (v) pictorial work, (vi) audiovisual work, (vii) a sound recording, and (viii) architectural work (col. 28, lines 13-17).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Erickson's teaching of electronic media stored within the memory means, the media being a digital representation of at least one of (i) literary work, (ii) musical work, (iii) dramatic work, (iv) choreographic work, (v) pictorial work, (vi) audiovisual work, (vii) a sound recording, and (viii) architectural work to Funaki's system and Berke's system in order to allow a user to search/retrieve a media record.

5. Claims 12, 18, 19, 25, 26 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Funaki (USP 6689946) in view of Berke (USP 6629094) and further in view of Wu (USP 5991756).

As to claims 12, 19 and 26, Funaki and Berke disclose the claimed limitation subject matter in claim 11, 18 and 25, except the claimed limitation Funaki does not explicitly teach the claimed limitation "a plurality of documents are retrieved, and wherein the method further comprises: displaying the plurality of documents via the display". Wu teaches displaying hypertext documents that indicates the system has included a display for displaying hypertext documents to a user (col. 1, lines 55-57).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Wu's teaching of displaying hypertext documents to

Funaki's system and Berke's system in order to allow a user can view and read information on a web site or a document.

As to claims 18 and 25, Funaki and Berke disclose the claimed limitation subject matter in claim 13 and 20, except the claimed limitation "displaying the document via the user interface. Wu teaches displaying hypertext documents that indicates the system has included a display for displaying hypertext documents to a user (col. 1, lines 55-57).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Wu's teaching of displaying hypertext documents to Funaki's system and Berke's system in order to allow a user can view and read information on a web site or a document.

As to claim 30, Funaki and Berke disclose the claimed limitation subject matter in claim 13, 20, except the claimed limitation "a display; wherein, in using, a plurality of documents are retrieved; and wherein the instructions, when accessed, result in the machine performing: generating a list of best-matched hits; and displaying the list of best-matched hits via the display". Wu teaches displaying hypertext documents that indicates the system has include a display for displaying hypertext documents to a user after searching terms in each candidates document (col. 1, lines 55-57; col. 2, lines 35-45).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Wu's teaching of displaying hypertext documents after searching terms in each candidates document to Funaki's system and Berke's system in order to allow a user can view and read information on a web site or a document.

Conclusion

6. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cam Y T Truong whose telephone number is. (571) 272-4042. The examiner can normally be reached on Monday to Firday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Cam-Y Truong
Patent Examiner
Art Unit 2162
11/20/2004

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PRIMARY EXAMINER